

(d) *Exemptions.* The following shall be exempt from subsections 82-412(a) and (b):

- (1) Signs authorized by the city pursuant to subsection 82-411(d).
- (2) Official traffic signs, information signs and warning signs erected by a governmental agency and temporary signs indicating danger.
- (3) Historical markers approved by the city historic preservation board.
- (4) Temporary special public event directional signs approved pursuant to article IV of this chapter.

(e) *Enforcement by code compliance officers; notice of violation.* If a code compliance officer as defined in chapter 30 finds a violation of this article, such code compliance officer shall issue a notice of violation to the violator of the nature of the violation, amount of fine for which the violator is liable, instructions and due date for paying the fine, notice that the violation may be appealed by requesting an administrative hearing within 20 days after service of the notice of violation, and that failure to do so shall constitute an admission of the violations and waiver of the right to a hearing.

(f) *Civil fines for violators.* The following civil fines shall be imposed for each violation of this article:

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|---|----------|
| (1) First offense.....  | \$ 50.00 |
| (2) Second offense (within one year of the first offense)....   | 250.00   |
| (3) Third offense/additional offenses (within one year of the first offense).....   | 500.00   |
| (4) First offense for illegal sign(s) in the public right-of-way affixed with an adhesive, glue, staples, tacks or nails that require extra ordinary effort, labor and materials to remove..... | 150.00   |
| (5) Second offense (within one year of the first of the first offense) for illegal sign(s) in   |          |

the public right-of-way affixed with an adhesive, glue, staples, tacks or nails that require extra ordinary effort, labor and materials to remove.....

400.00

- (6) Third offense/additional offenses (within one year of the first offense) for illegal sign(s) in the public right-of-way affixed with an adhesive, glue, staples, tacks or nails that require extra ordinary effort, labor and materials to remove .....

750.00

(g) *Rights of violators; payment of fine; right to appeal; failure to pay civil fine or to appeal.*

- (1) A violator who has been served with a notice of violation shall elect either to:
  - a. Pay the civil fine in the manner indicated on the notice; or
  - b. Request an administrative hearing before a special master appointed by the city commission upon recommendation of the city manager to appeal the decision of the code compliance officer which resulted in the issuance of the notice of violation.
- (2) The procedures for appeal by administrative hearing of the notice of violation shall be as set forth in sections 102-384 and 102-385.
- (3) If the named violator after notice fails to pay the civil fine or fails to timely request an administrative hearing before a special master, the special master shall be informed of such failure by report from the code compliance officer. Failure of the named violator to appeal the decision of the code compliance officer within the prescribed time period shall constitute a waiver of the violators right to administrative hearing before the special master. A waiver of the right to an administrative hearing shall be treated as an admission of the violation and penalties may be assessed accordingly.

(d) Temporary construction signs may be erected and maintained for a period beginning with the issuance of a building permit and must be removed within six months from the date the area of new construction or substantial rehabilitation receives a temporary or final certificate of occupancy or a certificate of completion, whichever applies. However, any such signs shall be removed immediately if the building permit expires and construction has not commenced and/or if the permit is not renewed.

(e) All signs shall be reviewed under the design review process. Construction signs shall be either flat wall signs or rigid detached signs, affixed to posts or a construction fence. Banners are prohibited. Unless affixed to a construction fence or an existing building, detached construction signs shall be setback ten feet from any property line. Maximum height to the top of a detached sign affixed to posts or a construction fence shall be 12 feet above grade. Maximum height to the top of a flat sign affixed to a building shall not extend above the second story of such building.

(Ord. No. 89-2665, § 9-4(B)(2), eff. 10-1-89; Ord. No. 93-2867, eff. 8-7-93; Ord. No. 94-2902, eff. 1-29-94)

Cross reference—Building regulations, ch. 14.

#### **Sec. 138-134. Election signs.**

(a) Election signs are signs announcing political candidates seeking public office or advocating positions relating to ballot issues.

(b) In a commercial district or industrial district the number is limited only by sign area regulations. In residential districts there shall be no more than one sign per residential building or lot.

**\*\*** (c) The sign area in commercial or industrial districts for campaign headquarters shall not have a sign area limitation. Each candidate may have four campaign headquarters which shall be registered with the city clerk. Other commercial or industrial district locations shall have the same requirements as for construction signs or real estate signs, whichever is larger. The sign area in residential districts shall be the same as for construction signs.

(d) Election signs shall be removed seven days following the election to which they are applicable.

(e) It shall be unlawful for any person to paste, glue, print, paint or to affix or attach by any means whatsoever to the surface of any public street, sidewalk, way or curb or to any property of any governmental body or public utility any political sign, poster, placard or automobile bumper strip designed or intended to advocate or oppose the nomination or election of any candidate or the adoption or rejection of any political measure. (Code 1964, § 10-6; Ord. No. 89-2665, § 9-4(B)(3), eff. 10-1-89; Ord. No. 93-2867, eff. 8-7-93)

Cross reference—Elections generally, ch. 38.

#### **Sec. 138-135. Real estate signs—Single-family residential.**

(a) Real estate signs/single-family residential are signs advertising the sale, lease or rent of the premises upon which such sign is located. Sign copy with prices is prohibited.

(b) There shall be a maximum of one sign permitted per property except for waterfront property where a second sign is permitted facing the water. In addition one strip sign to be attached directly below primary sign is allowed, and one "Open House" type sign is allowed only while the owner or agent is on the premises. Signs may be double faced provided all information is identical.

(c) The sign area for the primary sign shall be 14 inches by 18 inches and the sign area for the strip sign shall be two inches by 18 inches. "Open House" type signs shall be 22 inches by 16 inches.

(d) Temporary real estate signs shall be removed within seven days of the sale or lease of the premises upon which the sign is located.

(e) Special conditions for these real estate signs shall be as follows:

- (1) Detached signs shall have a setback of ten feet if lot is vacant, three feet if lot has improvements. Sign may be placed on structure or wall if structure or wall is less than three feet from property line. Height shall not exceed five feet.
- (2) Only the following information and no other information may appear on the sign:
  - a. "For Sale," "For Lease," or "For Rent," or combination thereof.
  - b. The name and logo of the real estate broker or realtor as registered with the Florida Real Estate Commission, the name of the owner or the words "By Owner" in lettering not to exceed one inch in height.
  - c. A designation following such name as being either a "Realtor," "Broker" or "Owner" in lettering not to exceed one inch in height.
  - d. The telephone number of such realtor, broker or owner.
  - e. The words "By Appointment Only"; "Waterfront"; "Pool."
- (3) Primary signs may be only white on black or black on white. Iridescent and illuminated signs are prohibited.
- (4) "Open House" type signs may be red and white or black and white. No signs are permitted on public property.
- (5) Each primary sign shall receive a permit from the code compliance department, which shall charge a fee as set forth in appendix A per primary sign. There shall be no additional charge for strip or "open house" type signs.

(Ord. No. 89-2665, § 9-4(B)(4), eff. 10-1-89; Ord. No. 93-2867, eff. 8-7-93)

#### **Sec. 138-136. Same—Multifamily, commercial, industrial, vacant land (other than residential).**

(a) Real estate signs/multifamily, commercial, industrial, vacant land (other than residential) are signs advertising the sale, lease or rent of the premises upon which such sign is located. Sign copy with prices is prohibited.